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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,094	12/14/2001	Tomio Shibuya	J12023	6507

7590 11/03/2003

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EXAMINER

JACKSON, ANDRE L

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 11/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,094

Applicant(s)

SHIBUYA ET AL.

Examiner

Andre' L. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 and 13 is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-17 and 21 is/are rejected.
- 7) ☒ Claim(s) 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 7-11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,069,586 to Casey in view of EPN 0080697 A1 to Ida. Casey discloses a grommet comprising a male grommet (80) made of a resin material; a female grommet (60) made of resin material (col. 3, lines 15-27); the female grommet having an outer tube (62) having opposite open ends and adapted to be inserted into a hole formed in a partition, wall or other structure (11). The female grommet having a flange (70) formed at an outer periphery of one of the ends of the outer tube and being adapted to be in contact with one side surface of the structure. The outer tube projecting axially beyond the flange of the female grommet for insertion into the hole formed in the structure; the male grommet having an inner tube (82) having opposite open ends and adapted to be inserted into the outer tube of the female grommet and a flange (90) formed an outer periphery of one of the ends of the inner tube; the flange of the male grommet adapted to be in contact with another side surface of the structure; wherein each of the outer and inner tubes is provided with an engagement means (68, 88) for coupling the female and male grommets to each other so that, upon engagement thereof, one of the flanges of the grommets is adapted to be brought into contact with one of the side surfaces of the structure around the hole and the other flange of the other grommet is adapted to be brought into contact with the other side surface of

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the structure, whereby the grommet is fastened to the structure with the structure sandwiched between the flanges; each of the flanges has an outer peripheral portion formed in a curved shape to be directed toward the structure to allow each of the flanges to fit snugly around the structure when the female and male grommets are coupled to each other by the engagement means.

However, Casey does not specifically disclose that at least one of the grommet's flanges has a larger outside dimension than that of the other flange of the other grommet. Ida teaches a grommet assembly comprising an eyelet part (11) having a cylindrical barrel (13) and an annular flange (14) extending about an end of the eyelet. An annular washer part (12) defining a peripheral flange (distal end portions) is provided for mating relationship with the eyelet part. As seen in Figs. 2 and 4 the peripheral flange formation of the washer part has a larger outside dimension than the flange of the eyelet part providing an increased contact surface area of the washer part and enhanced securement of the grommet assembly onto the arrested object (F). Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the grommet of Casey to include the grommet assembly of Ida to provide an enhanced grommet providing an increased contact surface area between the grommet and an object or structure, thus providing an overall increased area of retentive force on the object or structure and limiting a degree of separation of the grommet from the object or structure.

Claims 3-6, 15-17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casey in view of Ida and further in view of USPN 6,238,765 to Bailey. Casey discloses that the grommet is adapted to secure to a wall or partition or other structure but Casey does not disclose that the other structure is a floor mat including an upper carpet layer and a lower rubber base

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layer. Bailey et al describes a vehicle floor mat (30). The floor mat includes a planar member (40) having a top surface (42) of a carpet material (45) bonded onto it. A plurality of spaced-apart engaging members (46) is formed on a bottom side (43) of the planar member and the engaging members are formed from an elastomer or rubber-like material such as a thermoplastic elastomer. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the grommet of Casey to include the floor mat as described by Bailey et al to provide a grommet that effectively secures a floor mat to a floor board of a vehicle.

Referring to claims 4, 5, 9, 11, 14, 16 and 21 Ida discloses that that the flange of the washer plate includes a plurality of spaced protrusions (18) extending for engagement with a surface of a fabric, the eyelet part includes prongs (15) that bite into the surface of the fabric to prevent relative rotation as seen in Fig. 4. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to modify the grommet of Casey to include the protrusions and prongs taught by Ida to provide a firm attaching grommet able to prevent rotation of a structure juxtaposed within the interlocking grommet.

Referring to claims 7, 8, 10 and 17, Casey (Fig. 4) further discloses an annular concavity (75, 95) adjacent each flange of the female and male grommet surrounding the tubes.

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Allowable Subject Matter

Claims 12 and 13 are allowed over the prior art of record.

Claims 18- 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant's Arguments

Applicant's arguments filed in Amendment D on August 5, 2003 have been fully considered but they are not persuasive. In response to applicant's remarks on pages 13-15 and the amendment to applicant's claims, #5,069,586 to Casey in view of #0080697 to Ida and Bailey et al has been cited which are used in combination to meet the limitations of applicant's claims. Accordingly, claims 1-11, 14-17 and 21 are rejected as being unpatentable over Casey in view of Ida and Bailey et al. Claims 12 and 13 are allowed and claims 18-20 are objected to.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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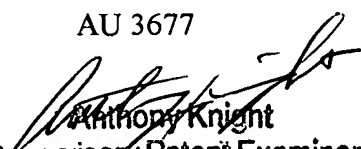
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (703) 605-4276. The examiner can normally be reached on Mon. - Fri. (10 am - 6 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (703) 308-3179. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1018.

ALJ

André L. Jackson
Patent Examiner
AU 3677

Anthony Knight
Supervisory Patent Examiner
Group 3600